

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1972

CITY OF FAIRFIELD)
)
)
 v.) # 71-336
)
)
 ENVIRONMENTAL PROTECTION AGENCY)

Opinion and Order of the Board (by Mr. Currie):

Fairfield (# 71-366) operates an electric generating plant. During a clutch breakdown the City was forced to use boilers one of which did not meet emission requirements. The petition, received in October, 1971, recited that the City expected to be able to discontinue use of that boiler "as soon as our load drops and this should be within a week or two." It is evident that the need for using the noncomplying boiler has long since passed according to the petition itself, and therefore there is no need for us to pass on the case. Cf. National Gypsum Corp. v. EPA, # 71-99 (Aug. 2, 1971).

The petition is hereby dismissed as moot.

I, Christan Moffett, Clerk of the Pollution Control Board certify that the Board adopted the above Opinion and Order this 24th day of January, 1972 by vote of 3-0.

Christan M. Moffett